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EXAMINER

HUFNAGEL, GEORGE F

ART UNIT	PAPER NUMBER
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3712

DATE MAILED: 07/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/682,606

Applicant(s)

ENGLISH, JOHN *Cr*

Examiner

George F Hufnagel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

DETAILED ACTION

Claim Rejections – 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

1. Claims 1 – 7 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation “useful for administering to pugilists between rounds essentially free of fluid deposition upon a floor of the boxing ring” appears to be nearly entirely functional and/or grammatically incorrect, and therefore, indefinite with regard to the exact structural limitation applicant intends to claim as the present invention. Claims 7 and 18 recite the limitation “impervious layer”, which is unclear, regarding what properties or materials the layer is impervious to.

Claims 2 – 6 depend from rejected claim 1, and include all of the limitations of the claim, thereby rendering these claims indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Oregon Bulletin "Department of Oregon State Police, Boxing and Wrestling Commission Chapter 230", which includes "Oregon Administrative Rules", Divisions 1 – 130 (hereinafter Oregon BWC).

Regarding claim 8, Oregon BWC discloses all of the elements of the claim, including a method (Oregon Bulletin "Department of Oregon State Police, Boxing and Wrestling Commission Chapter 230", which includes "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70) for conducting a contest (a boxing match) between pugilists in a boxing ring ("Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 230-070-0000 titled "Ring") comprising a floor ("Oregon Administrative Rules", section titled "Ring", Division 70, paragraph 230-070-0000 titled "Ring", sentence 3), posts ("ring posts", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 230-070-0000 titled "Ring", sentence 12) extending upwardly from the floor ("at least 58 inches above the ring floor") at corner areas (inherently understood in the limitation "The ring shall be square.", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 230-070-0000 titled "Ring", sentence 1) thereof, and ropes ("ring ropes", "Oregon Administrative Rules", section titled "Ring Ropes", Division 70, paragraph 230-070-0020 titled "Ring") strung from the posts adjacent to a perimeter of the floor, and (c) placing a flat, absorbent mat ("a clean towel for each match", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 070-0070 titled "Ring Equipment and Hygiene", sentence 7) in a rest corner assigned to a respective

pugilist; and placing a seat for the pugilist in a rest corner assigned to a respective pugilist ("Promoters also shall provide resin, stools, and other such articles as are required for the conduct of contests.", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 070-0070 titled "Ring Equipment and Hygiene", sentence 4).

But, Oregon BWC is silent with regard to specifically disclosing the sequential steps of: (a) commencing a round of the contest between the pugilists in the boxing ring; (b) terminating the round and commencing a rest period; (c) placing a flat, absorbent mat in a rest corner assigned to a respective pugilist; (d) placing a seat for the pugilist upon the mat so as to leave an apron area around at least one side of the seat; (e) seating the pugilist on the seat; (f) administering to the pugilist during the rest period and catching excess fluids on the mat, thereby inhibiting fluid accumulation on the floor; (g) removing the seat and mat from the boxing ring in preparation for another round; (h) optionally repeating steps (a) through (g) a plurality of times.

However, Oregon BWC does teach the basic elements of licensed boxing events within its territory. The method elements listed in this claim are basic elements of licensed boxing in most locations.

Therefore, it would have been obvious, in view of Oregon BWC, and in further view of the above, to have a method for conducting a contest between pugilists in a boxing ring comprising a floor, posts extending upwardly from the floor at corner areas thereof, and ropes strung from the posts adjacent to a perimeter of the floor, comprising

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the sequential steps of: (a) commencing a round of the contest between the pugilists in the boxing ring; (b) terminating the round and commencing a rest period; (c) placing a flat, absorbent mat in a rest corner assigned to a respective pugilist; (d) placing a seat for the pugilist upon the mat so as to leave an apron area around at least one side of the seat; (e) seating the pugilist on the seat; (f) administering to the pugilist during the rest period and catching excess fluids on the mat, thereby inhibiting fluid accumulation on the floor; (g) removing the seat and mat from the boxing ring in preparation for another round; (h) optionally repeating steps (a) through (g) a plurality of times, **for the purpose of** providing a method capable of operating within a set of rules that is used as an pugilist industry standard, as specified in the Oregon BWC rules 230-070-0000, "Ring" and 230-070-0070 "Ring Equipment and Hygiene".

Regarding claim 11, Oregon BWC discloses all of the elements of the claim, including a method wherein the same mat is used in successive steps (c). ("The chief second must supply a clean towel for each match which may be either cloth or paper towels", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 070-0070 titled "Ring Equipment and Hygiene", sentence 7).

Regarding claim 15, Oregon BWC (Oregon Bulletin "Department of Oregon State Police, Boxing and Wrestling Commission Chapter 230", Divisions 30 and 80, which include "Oregon Administrative Rules", sections 230-030-0040, 230-080-0170, 230-080-0220, titled "Number of Rounds Scheduled", "Wiping Gloves", and "Throwing Water

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Prohibited", respectively) discloses all of the elements of the claim, including a method wherein the contest is essentially free of interruption for mopping excess fluids from the floor. ("All contests or exhibitions in boxing will be required to have 3 minute rounds with 1 minute rest periods between rounds. No exceptions will be made to this rule", "Before a boxer resumes boxing after having been knocked or having fallen or slipped to the floor, the referee shall wipe and accumulated resin from the boxer's gloves with a damp towel or on the referee's shirt", and "Any excessive or undue spraying or throwing of water on any contestant between rounds is forbidden"). In addition, Oregon BWC teaches "The ring surface will be kept clean, dry and free from objects", and "(The chief second must supply a clean towel for each match which may be either cloth or paper towels. Excess use of water by a corner on a fighter will result in one warning by an assigned official or the referee, and violation after that will result in disciplinary action against the chief second", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 070-0070 titled "Ring Equipment and Hygiene", sentences 7 and 8).

Therefore, it would have been obvious, in view of the above, to have a method wherein the contest is essentially free of interruption for mopping excess fluids from the floor, for the purpose of providing a method capable of operating within a set of rules that is used as an pugilist industry standard, and utilizing at least one mat (clean towel) for each match, as specified in the Oregon BWC rules 230-080-0035, "Conduct of Seconds; Between Round Care", "The only substances and materials allowed in the corner are: ... (e) Clean sponge, (f) Clean towels (Oregon BWC).

3. Claims 1, 5, 6, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oregon BWC, in view of Gaudet.

Regarding claim 1, Oregon BWC discloses all of the elements of the claim, including a boxing ring configuration (Oregon Bulletin "Department of Oregon State Police, Boxing and Wrestling Commission Chapter 230", which includes "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70) useful for administering to pugilists between rounds essentially free of fluid deposition upon a floor of the boxing ring, comprising: a boxing ring ("Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 230-070-0000 titled "Ring") having posts ("ring posts", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 230-070-0000 titled "Ring", sentence 12) rising upwardly from the floor ("at least 58 inches above the ring floor") at corners (inherently understood in the limitation "The ring shall be square.", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 230-070-0000 titled "Ring", sentence 1) thereof; opposing corners designated as pugilist corners (inherent); an absorbent mat ("a clean towel for each match", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 070-0070 titled "Ring Equipment and Hygiene", sentence 7) removably disposed in a pugilist corner adjacent to a respective post; a seat ("Promoters also shall provide resin, stools, and other such articles as are required for the conduct of contests.", "Oregon Administrative Rules", section titled "Ring and Equipment", Division 70, paragraph 070-0070 titled "Ring Equipment and Hygiene",

sentence 4) for a pugilist placed on a central area of the respective pugilist corner, so as to leave an apron area of the ring floor disposed outwardly of the central area for catching fluids from administering to the pugilist when seated on the seat, whereby the mat is used to absorb fluids generated for, or by, the pugilist on the seat.

But, Oregon BWC lacks a boxing ring configuration comprising a mat removably disposed so as to overlie the floor at the corner; the seat placed on a central area of the mat so as to leave an apron area of the mat disposed outwardly of the central area, whereby the mat is secured in place against the floor by the weight of the pugilist on the seat. However, in figures 1 – 3, Gaudet teaches a mat (mat 12) removably disposed so as to overlie the floor; a plumbing fixture (10) and seat (shown) are located on a central edge area (middle area of mat) of the mat so as to leave an apron area (peripheral area of mat) of the mat disposed outwardly of the central edge area, whereby the mat is secured in place against the floor.

Therefore, it would have been obvious, to one of ordinary skill in the relevant art at the time of the claimed invention, in view of Gaudet, to have a boxing ring configuration useful for administering to pugilists between rounds essentially free of fluid deposition upon a floor of the boxing ring, comprising a boxing ring having posts rising upwardly from the floor at corners thereof; opposing corners designated as pugilist corners; an absorbent mat removably disposed in a pugilist corner adjacent to a respective post so as to overlie the floor at the corner; a seat for a pugilist placed on a central area of the mat so as to leave an apron area of the mat disposed outwardly of the central area for catching fluids from administering to the pugilist when seated on the

seat, whereby the mat is secured in place against the floor by the weight of the pugilist on the seat, for the purpose of providing an “invention (which) relates to floor coverings, primarily adapted for use ... to prevent the floor from becoming wet and from excessive wear”, (page 1, lines 1 – 4, Gaudet).

Regarding claim 5, Oregon BWC discloses all of the elements of the claim, but for a boxing ring configuration further comprising a cutout for the post formed in a corner of the mat; and first and second edges of the mat extending from the cutout substantially at a right angle for alignment with respective edges of the floor.

However, Gaudet teaches a mat configuration further comprising a cutout (U-shaped cutout shown in figure 2) for a fixture formed in a corner of the mat; and first and second edges of the mat extending from the cutout substantially at a right angle (with respect to section 3 – 3, as shown in figure 2) for alignment with respective edges of the floor. Therefore, it would have been obvious, in view of Gaudet, to have a boxing ring configuration further comprising a cutout for the post formed in a corner of the mat; and first and second edges of the mat extending from the cutout substantially at a right angle for alignment with respective edges of the floor, for the purposes of providing a product which “contemplates means for adapting the mat upon the particular fixture”, and “to prevent the floor from becoming wet and from excessive wear”. (Page 1, lines 1 – 7, Gaudet).

Regarding claims 6 and 17, Oregon BWC discloses all of the elements of the claim, but for a boxing ring configuration further comprising an arcuate edge of mat

extending between ends of the first and second edges of the mat opposite the cutout and a method wherein the mat includes an arcuate edge extending between ends of the first and second edges of the mat opposite the cutout. However, in figure 1, Gaudet teaches a configuration further comprising an arcuate edge (curved corner edge) of a mat extending between ends of a first (left side) and second edge (right side) of the mat, and a method wherein the mat includes an arcuate edge extending between ends of the first and second edges of the mat opposite the cutout. In addition, the shape of the mat is considered a design choice, as applicant has disclosed no criticality regarding the shape of the mat, particularly in section [0016] of the Detailed Description of the disclosure.

Therefore, it would have been obvious, in view of Gaudet, to have a boxing ring configuration further comprising an arcuate edge of mat extending between ends of the first and second edges of the mat opposite the cutout, and a method wherein the mat includes an arcuate edge extending between ends of the first and second edges of the mat opposite the cutout, for the purpose of using a circularly curved shape for a mat, because it is a simple, efficient geometry that was well known in the relevant industry at the time of the claimed invention.

Regarding claim 16, Oregon BWC discloses all of the elements of the claim, but for a method wherein step (c) comprises: positioning a cutout formed in a corner of the mat adjacent to a post; and aligning first and second edges extending from the cutout of the mat with respective edges of the floor. However, Gaudet teaches a method wherein

step (c) comprises: positioning a cutout (U-shaped cutout shown in figure 2) formed in a corner of the mat adjacent to a fixture (toilet seat); and aligning first and second edges (with respect to section 3 – 3, as shown in figure 2) extending from the cutout of the mat with respective edges of the floor. Therefore, it would have been obvious, in view of Gaudet, to have a method wherein step (c) comprises: positioning a cutout formed in a corner of the mat adjacent to a post; and aligning first and second edges extending from the cutout of the mat with respective edges of the floor, for the purposes of providing a product which “contemplates means for adapting the mat upon the particular fixture”, and “to prevent the floor from becoming wet and from excessive wear”. (page 1, lines 1 – 7, Gaudet).

4. Claims 2 - 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oregon BWC, in view of Gaudet, and further in view of Sullens.

Regarding claim 2, Oregon BWC, in view of Gaudet, discloses all of the elements of the claim, but for a boxing ring configuration further comprising a trademark displayed on an obverse side of the mat. However, Sullens teaches a configuration further comprising a trademark (“The system is easily produced in many colors with names or logos imprinted thereon”, column 4, lines 11 – 12) displayed on an obverse side of the mat. Therefore, it would have been obvious, in view of Sullens, to have a boxing ring configuration further comprising a trademark displayed on an obverse side of the mat, for the purpose of providing “an apparatus primarily developed for the purpose of rendering more convenient clean-up”, (column 1, lines 36 – 38, Sullens).

Regarding claim 3, Oregon BWC discloses all of the elements of the claim, but for a boxing ring wherein the trademark is displayed on the apron area. However, Sullens teaches a configuration further comprising a trademark ("The system is easily produced in many colors with names or logos imprinted thereon", column 4, lines 11 – 12) displayed on the apron area. Therefore, it would have been obvious, in view of Sullens, to have a boxing ring configuration further comprising a trademark displayed on the apron area, for the purpose of providing "an apparatus primarily developed for the purpose of rendering more convenient clean-up", (column 1, lines 36 – 38, Sullens).

Regarding claim 4, Oregon BWC discloses all of the elements of the claim, but for a boxing ring configuration further comprising a printable area on the mat for recording pugilist data. However, Sullens teaches a configuration further comprising a printable area on the mat for recording pugilist data ("The system is easily produced in many colors with names or logos imprinted thereon", column 4, lines 11 – 12). Therefore, it would have been obvious, in view of Sullens, to have a boxing ring configuration further comprising a printable area on the mat for recording pugilist data, for the purpose of providing "an apparatus primarily developed for the purpose of rendering more convenient clean-up", (column 1, lines 36 – 38, Sullens).

5. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oregon BWC, in view of Gaudet, and further in view of Desson.

Regarding claims 7 and 18, Oregon BWC discloses all of the elements of the claim, including a boxing ring configuration wherein the mat comprises an upper absorbent layer, and a method wherein the mat comprises an upper absorbent layer.

But, Oregon BWC lacks a mat comprising an upper absorbent layer and a lower absorbent layer on either side of an impervious layer, and a method wherein the mat comprises an upper absorbent layer and a lower absorbent layer on either side of an impervious layer.

However, in figure 1, Desson teaches a mat (blotter towel) comprising an upper absorbent layer (external absorbent drying surface 1) and a lower absorbent layer (external absorbent drying surface 2) on either side of an impervious layer (plastic inner surface 3), and a method wherein the mat comprises an upper absorbent layer and a lower absorbent layer on either side of an impervious layer ("A unitized material is preferred in which the back is applied in the manufacturing process to cut down on build and labor and materials costs. A plasticised backing has been found particularly suitable.", column 1, lines 59 – 62).

Therefore, it would have been obvious, in view of Desson, to have a boxing ring configuration wherein the mat comprises an upper absorbent layer and a lower absorbent layer on either side of an impervious layer, and a method wherein the mat comprises an upper absorbent layer and a lower absorbent layer on either side of an impervious layer, for the purpose of providing a product wherein a plasticised backing unitized material is applied in the manufacturing process to cut down on build and labor and materials costs. (Column 1, lines 59 – 62, Desson).

6. Claims 9, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oregon BWC, in view of Sullens.

Regarding claim 9, Oregon BWC discloses all of the elements of the claim, but for a method wherein step (c) comprises displaying a trademark on an obverse side of the mat. However, Sullens teaches a method wherein step (c) comprises displaying a trademark (“The system is easily produced in many colors with names or logos imprinted thereon”, column 4, lines 11 – 12) on an obverse side of the mat. Therefore, it would have been obvious, in view of Sullens, to have a method wherein step (c) comprises displaying a trademark on an obverse side of the mat, for the purpose of providing “an apparatus primarily developed for the purpose of rendering more convenient clean-up”, (column 1, lines 36 – 38, Sullens).

Regarding claim 10, Oregon BWC discloses all of the elements of the claim, but for a method wherein the trademark is disposed in the apron area. However, Sullens teaches a method wherein the trademark (“The system is easily produced in many colors with names or logos imprinted thereon”, column 4, lines 11 – 12) is disposed in the apron area. Therefore, it would have been obvious, in view of Sullens, to have a method wherein the trademark is disposed in the apron area, for the purpose of providing “an apparatus primarily developed for the purpose of rendering more convenient clean-up”, (column 1, lines 36 – 38, Sullens).

Regarding claim 12, Oregon BWC discloses all of the elements of the claim, but for a method wherein a new mat is used in successive steps (c). However, Sullens

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teaches a method (Drop Cloth System) wherein a new mat (absorbent sheet 14) is used in successive steps (c). (“After use, the ... worker simply moves the empty ... chair aside, bundles up the drop cloth and discards it”, column 4, lines 13 - 14) Therefore, it would have been obvious, in view of Sullens, to have a method wherein a new mat is used in successive steps (c), for the purpose of providing “an apparatus primarily developed for the purpose of rendering more convenient clean-up”, (column 1, lines 36 – 38, Sullens).

7. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oregon BWC, in view of Koiduka.

Regarding claims 13 and 14, Oregon BWC discloses all of the elements of the claims, but for a method further comprising the step of recording contest data on the mat, and wherein the contest data include a signature of the pugilist. However, Koiduka teaches a method further comprising the step of recording data (resin seal with name 5) on a mat (“mat with name” 1), and wherein the data includes a person’s name (“the thermoplastic resin seal with specified name 5”, column 2, lines 64 – 65). In addition, Koiduka teaches “the object (which) is to provide a mat, a mat with name and a method for anchoring a name seal, wherein it is possible to maintain a proper stock of mats for the general run of customers wherein, the specified name of a customer can be easily and firmly anchored at any time at any geographic location (column 1, lines 48 – 55, Koiduka). A boxing match comprises such an event, which occurs within parameters of any time and any geographic location.

Therefore, it would have been obvious, in view of Koiduka, to have a method further comprising the step of recording contest data on the mat, and wherein the contest data include a signature of the pugilist, for the purpose of fulfilling "the object (which) is to provide a mat, a mat with name and a method for anchoring a name seal, wherein it is possible to maintain a proper stock of mats for the general run of customers wherein, the specified name of a customer can be easily and firmly anchored at any time at any geographic location (column 1, lines 48 – 55, Koiduka).

8. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canning, in view of Gaudet, in view of Desson, and further in view of Sullens.

Regarding claim 19, Canning discloses all of the elements of the claim in figures 1 - 4, including a lay-flat mat (mat 100) comprising an upper absorbent layer (absorbent layer 106) with an obverse (top) surface; a lower impervious layer (liquid resistant bottom layer 102, column 3, lines 46 - 54) with a reverse (back) surface; first and second edges at a right angle and a third edge (shown in figures 1 and 3); a central region (middle area of mat) of the obverse surface; an apron area (peripheral area of mat) between the third edge and the central region (also shown in figures 1 and 3).

But, Canning lacks a lower absorbent layer; a cutout at a corner; first and second edges extending away from the cutout; a third edge opposite the cutout and extending from respective ends of the first and second edges; a central region of the obverse surface adjacent the cutout; and a trademark displayed on the obverse surface.

However, Gaudet teaches a cutout at a corner (shown in figure 2); first (right edge) and second (left edge) edges extending away from the cutout; a third edge (curved corner section shown at top left area of figure 2) opposite the cutout and extending from respective ends of the first and second edges; and a central region (middle area of mat) of the obverse surface adjacent the cutout (shown in figure 2).

But, Canning, in view of Gaudet, still lacks a lower absorbent layer; and a trademark displayed on the obverse surface. However, Desson teaches a lower absorbent layer (external absorbent drying surface 2 adjacent an impervious plastic inner surface layer 3); and Sullens teaches a trademark ("The system is easily produced in many colors with names or logos imprinted thereon", column 4, lines 11 – 12) displayed on an obverse surface.

Therefore, it would have been obvious, in view of Gaudet, and further in view of Desson, and further yet in view of Sullens, to have a lay-flat mat comprising an upper absorbent layer with an obverse surface; a lower absorbent layer with a reverse surface; an intermediate impervious layer; a cutout at a corner for receiving a post at a corner of a boxing ring; first and second edges at a right angle and extending away from the cutout for alignment with respective edges of a floor of the boxing ring; a third edge opposite the cutout and extending from respective ends of the first and second edges; a central region of the obverse surface adjacent the cutout for receiving a seat for the pugilist; an apron area between the third edge and the central region; and a trademark displayed on the obverse surface, for the purpose of providing a product wherein "surface areas that are subject to spilled liquids may be protected", and "dangerous

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slips and falls are minimized”, and “messes resulting from spillings are minimized, thereby saving time on clean-up”, and “is disposable, thereby eliminating the need to launder rags and cloth tarps and dropcloths”. (Column 3, lines 4 – 16, Canning).

Regarding claim 20, Canning discloses all of the elements of the claim, but for a mat wherein the trademark is disposed in the apron area. However, Sullens teaches a mat wherein the trademark (“The system is easily produced in many colors with names or logos imprinted thereon”, column 4, lines 11 – 12) is disposed in the apron area. Therefore, it would have been obvious, in view of Sullens, to have a mat wherein the trademark is disposed in the apron area, for the purpose of providing “an apparatus primarily developed for the purpose of rendering more convenient clean-up”, (column 1, lines 36 – 38, Sullens).

9. Claims 21 - 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canning, in view of Gaudet, in view of Desson, further in view of Sullens, and further in view of Koiduka.

Regarding claim 21, Canning discloses all of the elements of the claim, but for a mat further comprising a printable area in the central region for recording match data. However, Koiduka teaches a mat further comprising a printable area (resin seal with name 5; and “mat with name” 1; and “the thermoplastic resin seal with specified name 5”, column 2, lines 64 – 65). In addition, Koiduka teaches “the object (which) is to provide a mat, a mat with name and a method for anchoring a name seal, wherein it is possible to maintain a proper stock of mats for the general run of customers wherein,

the specified name of a customer can be easily and firmly anchored at any time at any geographic location (column 1, lines 48 – 55, Koiduka). A boxing match comprises such an event, which occurs within parameters of any time and any geographic location.

Therefore, it would have been obvious, in view of Koiduka, to have a mat further comprising a printable area in the central region for recording match data, for the purpose of fulfilling “the object (which) is to provide a mat, a mat with name and a method for anchoring a name seal, wherein it is possible to maintain a proper stock of mats for the general run of customers wherein, the specified name of a customer can be easily and firmly anchored at any time at any geographic location (column 1, lines 48 – 55, Koiduka).

Regarding claims 22 and 23, Canning discloses all of the elements of the claims, but for a mat further comprising match data recorded in the printable area; and wherein the data include a pugilist signature. However, Koiduka teaches a mat further comprising match data recorded in the printable area, wherein the data include a pugilist signature (resin seal with name 5; “mat with name” 1; and “the thermoplastic resin seal with specified name 5”, column 2, lines 64 – 65). In addition, Koiduka teaches “the object (which) is to provide a mat, a mat with name and a method for anchoring a name seal, wherein it is possible to maintain a proper stock of mats for the general run of customers wherein, the specified name of a customer can be easily and firmly anchored at any time at any geographic location (column 1, lines 48 – 55, Koiduka). A boxing match comprises such an event, which occurs within parameters of any time and any geographic location.

Therefore, it would have been obvious, in view of Koiduka, to have a mat further comprising match data recorded in the printable area, wherein the data include a pugilist signature for the purpose of fulfilling “the object (which) is to provide a mat, a mat with name and a method for anchoring a name seal, wherein it is possible to maintain a proper stock of mats for the general run of customers wherein, the specified name of a customer can be easily and firmly anchored at any time at any geographic location (column 1, lines 48 – 55, Koiduka).

10. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Canning, in view of Gaudet, in view of Desson, further in view of Sullens, and further in view of Koiduka, and further yet in view of Oregon BWC. Canning discloses all of the elements of the claim, including a mat wherein the upper layer is stained with body fluid from a person. (“Further, a preferred embodiment of the present invention may be used: as a lining in a baby’s crib”, column 4, lines 36 – 41). But, Canning is silent regarding body fluid from a pugilist.

However, Oregon BWC teaches a mat (“a clean towel for each match”, “Oregon Administrative Rules”, section titled “Ring and Equipment”, Division 70, paragraph 070-0070 titled “Ring Equipment and Hygiene”, sentence 7) wherein the upper layer is stained with body fluid from the pugilist. Therefore, it would have been obvious, in view of Oregon BWC to have a mat wherein the upper layer is stained with body fluid from the pugilist, for the purpose of complying with Oregon Boxing and Wrestling

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Commission rules regarding maintenance of equipment and rings, as disclosed previously in this office action.

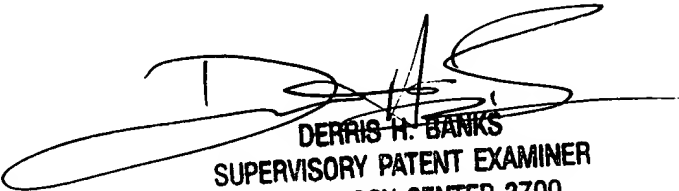
Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George F. Hufnagel whose telephone number is 703-605-1235. The examiner can normally be reached on Mon - Fri 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 703-308-1745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9301.

GFH


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July 23, 2002